

**REMARKS**

This is intended as a full and complete response to the Office Action dated March 1, 2005, having a shortened statutory period for response set to expire on June 1, 2005. Applicant believes the amendments made to the claims encompass the concerns discussed during the Interview on April 26, 2005.

Claims 1 and 19-20 are currently amended in the Application per the discussions with the Examiner during the Interview on April 26, 2005.

Claims 1-22 are pending in the Application.

**I. Claim Rejection -- 35 USC 103**

The Office Action rejected Claims 1-22 under 35 USC 103(a) as being unpatentable over Clayton US Patent Number 6,623,540, in view of Kubokawa US Patent Number 6,740,137.

The Applicant's embodiments are to air filtration apparatus that are expandable to fit various air duct sizes. The Applicant's apparatus includes two frames, an inner and outer. The inner frame slides into the outer frame to allow the apparatus to have a variable width in order to fit into air ducts of various sizes. The pleated filter media is placed inside of the two frames and folds and unfolds in order to fit the set width of the apparatus.

*Clayton* teaches a filter apparatus that overhangs the duct end, thereby allowing improved filtration efficiency and reduced air pressure drops. *Clayton* teaches an apparatus to contain filters that are "significantly larger in cross-sectional area than either the duct or the openings" (Column 5, Lines 32-42; and Figure 1).

*Kubokawa* teaches reversibly expandable filter element. The Applicant's air filtration apparatus utilizes an expandable filter element, but uses the filter element in conjunction with an expandable frame. *Kubokawa* does not teach an expandable frame.

Applicant believes that the embodied air filtration apparatus is patentable over *Clayton*

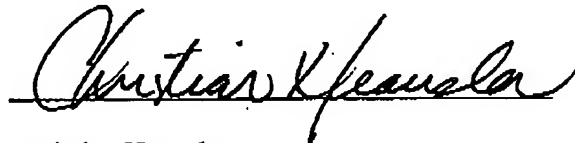
for above noted reasons. Applicant believes that *Kubokawa* does not add the element of an expandable frame that is missing from *Clayton*. Reconsideration of the rejection of the claims is respectfully requested.

Applicant believes the noted differences between the Applicant's apparatus and the cited references encompass the concerns discussed during the Interview on April 26, 2005. The Interview Summary is included with this Response as Exhibit A.

Reconsideration of this Application with the amended claims in view of the remarks expressed throughout this Response is respectfully requested.

Respectfully submitted,

Date: 4/28/05



Christian Heausler  
Patent Attorney  
Reg. No. 50,771

FOR

Wendy K. Buskop  
Patent Attorney  
Reg. No. 32,202

Please mail correspondence to the address associated with customer number 29637.

Wendy K. Buskop  
Buskop Law Group, P.C.  
1776 Yorktown, Suite 550  
Houston, Texas 77056  
713.403.7411

Enclosure: Exhibit A - Interview Summary (One Page)

<b>Interview Summary</b>	Application No.	Applicant(s)	
	10/689,412	DIMICELLI, ANTHONY	
	Examiner	Art Unit	
	Minh-Chau T. Pham	1724	

All participants (applicant, applicant's representative, PTO personnel):

(1) Minh-Chau T. Pham. (3) Mr. Antony Dimicelli.

(2) Duane Smith. (4) Ms. Wendy Buskow.

Date of Interview: 26 April 2005.

Type: a) ☐ Telephonic b) ☐ Video Conference  
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☒ Yes e) ☐ No.  
If Yes, brief description: An adjustable filter frame to fit into various sizes of duct.

Claim(s) discussed: 1-22.

Identification of prior art discussed: All of record.

Agreement with respect to the claims f) ☒ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant discusses the novelty of the invention which is an inner frame with expandable filter media slidably fit inside an outer frame which is not disclosed by the prior arts of record. The subject matter is allowable over the arts of record and further search is conducted for such limitation, would be allowable barring any new art or record found.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

12 [Signature] 4-26-05  
Examiner's signature, if required